

In The United States District Court
For The Southern District of Mississippi

Class Action

Conditions of Confinement Complaint

PAUL JR 34654 } PLAINTIFF #1
(LAST) (I.D.#)

TIMOTHY WAYNE }
(FIRST NAME) (MIDDLE NAME)

LAMAR County Jail
(INSTITUTION)

Civil
ACTION

NUMBER : 2:15cv167-DPS-FKB



P.O. Box 806, Purvis MS, 39475
(ADDRESS)



McPhail 35114 } PLAINTIFF #2
(LAST) (I.D.#)

JASON MATTHEW
(FIRST NAME) (MIDDLE)

LAMAR County Jail
(INSTITUTION)

P.O. Box 806, Purvis, MS 39475
(ADDRESS)

V.

(SHERIFF) DANNY RIGEL - Individual + Official Capacity
(MAJOR) MIKE HARLIN - Individual + Official Capacity

* OTHER LAWSUITS FILED BY PLAINTIFF *

A. HAVE YOU EVER FILED ANY OTHER LAWSUITS IN THE
COURT OF THE UNITED STATES? NO

* PARTIES *

I. NAME OF Plaintiff : Timothy Wayne Paul, Jr

Prisoner Number: 34654

Address: P.O. Box 806

Purvis, MS 39475

* NAME OF PLAINTIFF #2 : JASON McPhail

PRISONER # 35114

Address: P.O. Box 806

Purvis, MS 39475

II. DEFENDANT : DANNY RIGEL (SHERIFF) AT :

LAMAR COUNTY JAIL

201 Main St.

Purvis, MS 39475

* Plaintiff #1 : Timothy Wayne Paul, Jr

address: P.O. Box 806 Purvis, MS 39475

* Plaintiff #2 : JASON McPhail

address: P.O. Box 806, Purvis MS 39475

* DEFENDANTS

NAME : DANNY RIGEL (SHERIFF)

Address — 201 Main St. Purvis, MS 39475

NAME : MIKE HARLIN (MAJOR)

Address — 201 Main St. Purvis, MS 39475

— AT ALL Times IN their OFFICIAL and Individual CAPACITIES.

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* GENERAL INFORMATION *

- A. AT THE TIME OF THE INCIDENT, WERE YOU INCARCERATED BECAUSE YOU HAVE BEEN CONVICTED OF A CRIME? - NO
- B. ARE YOU PRESENTLY INCARCERATED FOR A PAROLE OR PROBATION VIOLATION? - NO
- C. AT THE TIME OF THIS INCIDENT, WERE YOU AN INMATE AT M.D.O.C.? - NO
- D. ARE YOU CURRENTLY AN M.D.O.C. INMATE? - NO
- E. HAVE YOU COMPLETED THE ADMINISTRATIVE REMEDY PROGRAM REGARDING THE CLAIMS PRESENTED IN THIS COMPLAINT? - YES: IF SO WHAT ARE THE RESULTS: NO RELIEF, MORE PROOF AND DECLARATIONS FOR THESE CLAIMS WILL BE SENT AFTER CIVIL ACTION NUMBER IS ACTIVATED.
- * SOME PROOF IS ATTACHED AS EXHIBITS.
- F. DID YOU PRESENT THE FACTS RELATING TO YOUR CASE OF COMPLAINT TO THE ADMINISTRATIVE OR GRIEVANCE PROCEDURE IN YOUR INSTITUTION? - YES

G. STATE HOW YOUR CLAIMS WERE PRESENTED.
- WRITTEN & VERBAL

E² STATE THE DATES YOUR CLAIMS WERE PRESENTED.
VERBAL SINCE APRIL, WRITTEN JUNE - NOV.

F² STATE THE RESULTS: SOME WERE ANSWERED MOST WERE NOT, (WRITTEN) EXHIBITS WILL BE SENT AS SOON AS CIVIL ACTION NUMBER IS ACTIVATED.

* SOME EXHIBITS WILL BE ATTACHED!!

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* CLASS ACTION STATEMENT OF FACTS *

- ① Unwholesome Foods + Diet; No Beverages (Milk, Juice, or otherwise), No Fruits (only Applesauce), No Meat at Breakfast, THE SAME MEAL IS SERVED FOR BREAKFAST 365 days A YEAR, And Uncooked Meats. (SEE EX-A) (SEE EX-C+D)
 - ② Sanitation + Hygiene; Hepatitis -C infected inmate Uses Same Beard Trimmers (Electric) AS The Plaintiffs, Without proper cleaning. Inmate documented That he was Positive For Hep-C upon Arrival AT Jail. *(SEE EX-B, C, + D)* (SEE EX-E+F) Moldy + Wet Mats, Black Mold in Water Cooler + Shower *(SEE EX-A, C, + D)*
 - ③ Inadequate YARD; LACK OF SUNSHINE + GRASS + EXERCISE (YARD IS ONLY 4 BRICK WALLS + OPEN CEILING)
 - ④ EXCESSIVE BONDS AND DENIAL OF BOND REDUCTIONS. (Plaintiff #1 HAS NOT HAD Reduction OF Bond in 30 months)
 - ⑤ DISCRIMINATION AGAINST Inmates In Protective Custody; (VIOLATION OF P.C. RIGHTS) P.C. TREATED AS Punitive DETENTION. (NO CANTEEN OR VISITS Allowed To P.C.) Discrimination Against Medical Inmates. (Medical is Treated AS Punishment And Are Denied Visit, T.V. + Canteen)
- * BOTH DEFENDANTS ARE PERSONALLY INVOLVED WITH EACH OF THE ABOVE NUMBERED CLAIMS, AS POLICY AND DECISION MAKERS. Upon VERBAL + WRITTEN NOTIFICATIONS OF THE ABOVE Complaints, NO CORRECTION, CHANGE, OR RELIEF HAS BEEN GRANTED, OR SEEN.

(5.055) * CLASS ACTION RELIEF *

The Plaintiffs ARE ASKING THE COURT TO ORDER THE FOLLOWING Adjustments + Relief:

To administer the Proper Diet OF WHOLESOME Foods, Change Menu, Add Beverages (Milk, Juice, ETC)

Sanitation + Hygiene Problems to be Corrected:

New Mats, Cleaner SHOWERS + DRINKING COOLERS. Personal RAZORS (NOT ELECTRIC TRIMMERS) TO BE Handed out.

A Proper YARD (NOT 4 WALLS + A Ceiling) Protective CUSTODY And Medical Inmates Get Proper treatment (VISIT'S And COMMISSARY ALLOWED TO P.C. + Med)

Bonds to Be Set AT A Reasonable Ammount, And Proper Bond Reductions be Made. Simple Bond Reduction Request should be GRANTED. Plaintiffs SEEK \$100,000.00 FROM

EACH DEFENDANT IN their Official Capacities, and \$100,000.00 IN Their Individual Capacities. Plaintiffs Seek DAMAGES FOR Punitive, Prospective, Proximate, Remote, Nominal, Rescissory, Speculative, Substantial, and Compensative damages.

The Plaintiffs Certify this Complaint AS true + correct.

The Plaintiffs Certify this AS USE to defeat any Future Summary Judgement or dissmisal; on this 13th DAY OF November 2015

I declare this Under the Penalty of Perjury The Above And Foregoing is True + Correct.

Plaintiff #1 Timothy Wayne Paul Jr. #34654
T. Paul Jr.

Plaintiff #2 JASON MATTHEW McPhee #351K
J. McP